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200215Z Dec 05

UNCLAS SECTION 01 OF 02 COLOMBO 002119

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NEW DELHI for LEGATT
STATE FOR SA/INS MGOWER; PLEASE PASS TO USTDA FOR
MBASSETT
MCC FOR D NASSIRY AND E BURKE

E.O 12958: N/A
TAGS: [ECON](#) [ECPS](#) [EFIN](#) [EINT](#) [ETRD](#) [PTER](#) [KCRM](#) [CE](#)
SUBJECT: Sri Lanka requests assistance to enforce
computer crimes and e-transactions laws

¶1. (U) This is an action cable. See action request
in para 7 below.

¶2. (U) SUMMARY: A Computer Crimes bill will soon
become law in Sri Lanka, and submission of an
electronic transactions bill is anticipated for early
¶2006. Sri Lanka would appreciate USG technical
assistance in developing a forensics lab as well as
gaining expertise in computer crime and electronic
signature recognition issues. End Summary.

¶3. (U) On December 8, Econoff met with Jayantha
Fernando, legal advisor to the Information and
Communication Technology Agency of Sri Lanka (ICTA),
the apex government agency responsible for ICT policy
formulation and implementation of e-government
projects. Fernando said the Government of Sri Lanka
(GSL) assigns high priority to spreading computer
usage and utilization of web-based and networked
solutions to increase efficiency and effectiveness in
government processes. ICTA is a division under the
President's office (Note: ICTA has been handled by the
President's Secretary Lalith Weeratunga, a close
Embassy contact, since it came under Rajapakse's
purview when he was Prime Minister. End Note).

¶4. (U) Fernando provided an update on the recent
progress on laws relating to e-commerce and computer
crimes. The Computer Crimes bill has been debated in
Parliament and is awaiting amendments to correct some
language in the Sinhala version before final passage
into law. An electronic transactions bill to
facilitate E-Commerce, permit electronic filing of
government documents and provide for the recognition
of e-signatures, is expected to be presented to
Parliament in early 2006. According to Fernando, the
implementation of the laws will require the
establishment of a digital forensic unit in the
Criminal Investigations Department (CID) of the Sri
Lanka Police. In addition, ICTA also hopes to set up
an independent computer forensic lab to validate
police investigations. While funding for establishing
these institutions is available under a World Bank
loan, Fernando is keen on exploring the possibility of
obtaining guidance from relevant USG agencies to set
up the labs. He mentioned the FBI as a possible
source for this assistance.

¶5. (SBU) According to Fernando, although the internet
community is still small in Sri Lanka there is
evidence of some hackers establishing links with
hackers in Eastern Europe and the Middle East. He
believes there will be more opportunities for internet
crimes as the Sri Lankan internet community gradually
matures and expands.

¶6. (U) With regard to the enforcement of the draft e-
transactions law, Fernando requested Embassy
assistance in contacting relevant USG agencies to
facilitate bilateral discussions on electronic
signature recognition. The law provides for the
facilitation of electronic contracts, electronic
communications, establishment of a Certification
Authority and the recognition of electronic filing by
government departments. He said that the e-
transactions law will conform with international
standards and best practices such as the UNCITRAL
Model Laws on E-commerce and electronic signatures.
The law also incorporates concepts of the 2005
UNCITRAL Convention on Electronic Contracting.

¶7. (U) Fernando, who is the current Associate
Chairman of the nominating committee of the Internet
Corporation for Assigned Names and Numbers (ICANN),
has represented Sri Lanka in the recent Tunis meeting

of the World Summit on Information Society (WSIS). According to him, many developing countries misunderstood the role of the Department of Commerce in ICANN. Sri Lanka managed to remain neutral despite heavy lobbying by the International Telecommunication Union to move ICANN to the UN.

18. (U) Action Requested: Post would appreciate responses from relevant USG agencies for collaboration/advice/consultation for the computer crimes and electronic signature recognition issues in Sri Lanka. Responses could be sent by cable or email. Email responses could be sent to Richard Merrin, Economic Officer, US Embassy Colombo: merrinrc@state.gov, Phone: 94-11-2448007, fax: 94-11-12437345.

ENTWISTLE